

Union Calendar No. 244

105TH CONGRESS
2^D SESSION

H. R. 2883

[Report No. 105–429]

To amend provisions of law enacted by the Government Performance and Results Act of 1993 to improve Federal agency strategic plans and performance reports.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 1997

Mr. BURTON of Indiana (for himself, Mr. ARMEY, Mr. HORN, and Mr. SESSIONS) introduced the following bill; which was referred to the Committee on Government Reform and Oversight

MARCH 10, 1998

Additional sponsors: Mr. TALENT, Mr. BOEHNER, and Mr. YOUNG of Alaska

MARCH 10, 1998

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on November 7, 1997]

A BILL

To amend provisions of law enacted by the Government Performance and Results Act of 1993 to improve Federal agency strategic plans and performance reports.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Government Perform-*
5 *ance and Results Act Technical Amendments of 1998”.*

6 **SEC. 2. AMENDMENTS RELATING TO STRATEGIC PLANS.**

7 *(a) CONTENT OF STRATEGIC PLANS.—Section 306(a)*
8 *of title 5, United States Code, is amended—*

9 *(1) in paragraph (1), by inserting before the*
10 *semicolon “, that is explicitly linked to the statutory*
11 *or other legal authorities of the agency”;*

12 *(2) in paragraph (2), by inserting before the*
13 *semicolon “, that are explicitly linked to the statutory*
14 *or other legal authorities of the agency”; and*

15 *(3) by striking “and” at the end of paragraph*
16 *(5), by striking the period at the end of paragraph (6)*
17 *and inserting a semicolon, and by adding at the end*
18 *the following new paragraphs:*

19 *“(7) a specific identification of any agency func-*
20 *tions and programs that are similar to those of more*
21 *than one component of the agency or those of other*
22 *agencies, and an explanation of coordination and*
23 *other efforts the agency has undertaken within the*
24 *agency or with other agencies to ensure that such*
25 *similar functions and programs are subject to com-*

1 plementary goals, strategies, and performance meas-
2 ures;

3 “(8) a description of any major management
4 problems (including but not limited to programs and
5 activities at high risk for waste, abuse, or mismanage-
6 ment) affecting the agency that have been documented
7 by the inspector general of the agency (or a com-
8 parable official, if the agency has no inspector gen-
9 eral), the General Accounting Office, and others, and
10 specific goals, strategies, and performance measures to
11 resolve those problems; and

12 “(9) an assessment by the head of the agency of
13 the adequacy and reliability of the data sources and
14 information and accounting systems of the agency to
15 support its strategic plans under this section and per-
16 formance plans and reports under sections 1115 and
17 1116 (respectively) of title 31, and, to the extent that
18 material data or system inadequacies exist, an expla-
19 nation by the head of the agency of how the agency
20 will resolve them.”.

21 (b) *RESUBMISSION OF AGENCY STRATEGIC PLANS.*—
22 Section 306 of title 5, United States Code, is amended—

23 (1) in subsection (b), by striking “submitted,”
24 and all that follows through the end of the subsection
25 and inserting the following: “submitted. The strategic

1 *plan shall be updated, revised, and resubmitted to the*
 2 *Director of the Office of Management and Budget and*
 3 *the Congress by not later than September 30 of 1998*
 4 *and of every third year thereafter.”; and*

5 *(2) in subsection (d), by inserting “and updat-*
 6 *ing” after “developing”, and by adding at the end*
 7 *thereof: “The agency head shall provide promptly to*
 8 *any committee or subcommittee of the Congress any*
 9 *draft versions of a plan or other information perti-*
 10 *nent to a plan that the committee or subcommittee re-*
 11 *quests.”.*

12 *(c) FORMAT FOR STRATEGIC PLANS.—Section 306 of*
 13 *title 5, United States Code, is amended by redesignating*
 14 *subsection (f) as subsection (g), and by inserting after sub-*
 15 *section (e) the following new subsection:*

16 *“(f)(1) The strategic plan shall be a single document*
 17 *that covers the agency as a whole and addresses each of the*
 18 *elements required by this section on an agencywide basis.*
 19 *The head of an agency shall format the strategic plans of*
 20 *the agency in a manner that clearly demonstrates the link-*
 21 *ages among the elements of the plan.*

22 *“(2)(A) The head of each executive department shall*
 23 *submit with the departmentwide strategic plan a separate*
 24 *component strategic plan for each of the major mission-re-*
 25 *lated components of the department. Such a component*

1 *strategic plan shall address each of the elements required*
 2 *by this section.*

3 “(B) *The head of an agency that is not an executive*
 4 *department shall submit separate component plans in ac-*
 5 *cordance with subparagraph (A) to the extent that doing*
 6 *so would, in the judgment of the head of the agency, materi-*
 7 *ally enhance the usefulness of the strategic plan of the agen-*
 8 *cy.”.*

9 **SEC. 3. AMENDMENTS RELATING TO PERFORMANCE PLANS**
 10 **AND PERFORMANCE REPORTS.**

11 (a) *GOVERNMENTWIDE PROGRAM PERFORMANCE RE-*
 12 *PORTS.—Section 1116 of title 31, United States Code, is*
 13 *amended—*

14 (1) *by redesignating subsection (f) as subsection*
 15 *(g); and*

16 (2) *by inserting after subsection (e) the following*
 17 *new subsection:*

18 “(f)(1) *No later than March 31, 2000, and no later*
 19 *than March 31 of each year thereafter, the Director of the*
 20 *Office of Management and Budget shall prepare and submit*
 21 *to the Congress an integrated Federal Government perform-*
 22 *ance report for the previous fiscal year.*

23 “(2) *In addition to such other content as the Director*
 24 *determines to be appropriate, each report shall include ac-*
 25 *tual results and accomplishments under the Federal Gov-*

1 *ernment performance plan required by section 1105(a)(29)*
 2 *of this title for the fiscal year covered by the report.”.*

3 *(b) INSPECTOR GENERAL REVIEW OF AGENCY PER-*
 4 *FORMANCE PLANS AND PERFORMANCE REPORTS.—*

5 *(1) IN GENERAL.—Chapter 11 of title 31, United*
 6 *States Code, is amended by adding at the end the fol-*
 7 *lowing:*

8 ***“§ 1120. Inspector general review of agency perform-***
 9 ***ance plans and performance reports***

10 *“(a) The inspector general of each agency (or a com-*
 11 *parable official designated by the head of the agency, if the*
 12 *agency has no inspector general) shall develop and imple-*
 13 *ment a plan to review the implementation by the agency*
 14 *of the requirements of sections 1115 and 1116 of this title*
 15 *and section 306 of title 5. The plan shall include examina-*
 16 *tion of the following:*

17 *“(1) Agency efforts to develop and use perform-*
 18 *ance measures for determining progress toward*
 19 *achieving agency performance goals and program out-*
 20 *comes described in performance plans prepared under*
 21 *section 1115 of this title and performance reports sub-*
 22 *mitted pursuant to section 1116 of this title.*

23 *“(2) Verification and validation of selected data*
 24 *sources and information collection and accounting*
 25 *systems that support agency performance plans and*

1 *performance reports and agency strategic plans pur-*
2 *suant to section 306 of title 5.*

3 *“(b)(1) In developing the review plan and selecting*
4 *specific performance indicators, supporting data sources,*
5 *and information collection and accounting systems to be ex-*
6 *amined under subsection (a), each inspector general (or des-*
7 *ignated comparable official, as applicable) shall consult*
8 *with appropriate congressional committees and the head of*
9 *the agency, including in determining the scope and course*
10 *of review pursuant to paragraph (2).*

11 *“(2) In determining the scope and course of review,*
12 *consistent with available resources, each inspector general*
13 *(or designated comparable official, as applicable) shall em-*
14 *phasize those performance measures associated with pro-*
15 *grams or activities for which—*

16 *“(A) there is reason to believe there exists a high*
17 *risk of waste, fraud, or mismanagement; and*

18 *“(B) based on the assessment of the inspector*
19 *general, review of the controls applied in developing*
20 *the performance data is needed to ensure the accuracy*
21 *of those data.*

22 *“(c) Each agency inspector general (or designated com-*
23 *parable official, as applicable) shall submit the review plan*
24 *to the Congress and the agency head at least annually, be-*
25 *ginning no later than October 31, 1998.*

1 “(d) *Each agency inspector general (or designated*
 2 *comparable official, as applicable) shall conduct reviews*
 3 *under the plan submitted under subsection (c), and submit*
 4 *findings, results, and recommendations based on those re-*
 5 *views to the head of the agency and the Congress, by not*
 6 *later than April 30 and October 31 of each year. In the*
 7 *case of reviews by an agency inspector general, such submis-*
 8 *sion shall be made as part of the semiannual reports re-*
 9 *quired under section 5 of the Inspector General Act of*
 10 *1978.”.*

11 (2) *CONFORMING AMENDMENT.—Section 1115(f)*
 12 *of title 31, United States Code, is amended in the*
 13 *matter preceding paragraph (1) by striking “1119”*
 14 *and inserting “1120”.*

15 (3) *CLERICAL AMENDMENT.—The table of sec-*
 16 *tions at the beginning of chapter 11 of title 31,*
 17 *United States Code, is amended by adding at the end*
 18 *the following new item:*

“1120. Inspector general review of agency performance plans and performance re-
ports.”.

19 (c) *REQUIREMENT TO USE FULL COSTS AS PERFORM-*
 20 *ANCE INDICATOR.—Section 1115(a)(4) of title 31, United*
 21 *States Code, is amended by inserting before the semicolon*
 22 *at the end the following: “, which shall include determina-*
 23 *tion of the full costs (as that term is used in the most recent*

1 *Managerial Cost Accounting Standards of the Federal Fi-*
 2 *nancial Accounting Standards) of each program activity”.*

3 **SEC. 4. LIMITATION ON AUTHORITY TO EXEMPT THE COUN-**
 4 **CIL ON ENVIRONMENTAL QUALITY.**

5 *Section 1117 of title 31, United States Code, is amend-*
 6 *ed by inserting before the period the following: “, except that*
 7 *the Director may not exempt the Council on Environmental*
 8 *Quality”.*

9 **SEC. 5. SUBMISSION OF AGENCY FINANCIAL STATEMENTS.**

10 *Section 3515(a) of title 31, United States Code, is*
 11 *amended—*

12 *(1) by striking “1997” and inserting “1999”;*
 13 *and*

14 *(2) by inserting “the Congress and” after “and*
 15 *submit to”.*

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